

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION**

BANCREDITO HOLDING CORPORATION, )  
on its own behalf and derivatively for the )  
benefit of and on behalf of Nominal Defendant )  
BANCREDITO INTERNATIONAL BANK & )  
TRUST CORPORATION, )

Plaintiff, )

V.

DRIVEN ADMINISTRATIVE SERVICES LLC, )

Defendant, )

and

BANCREDITO INTERNATIONAL BANK & TRUST CORPORATION,

Nominal Defendant. )

**Case No. 23-cv-00575-M-BM**

**DEFENDANT DRIVEN  
ADMINISTRATIVE  
SERVICES, LLC'S MOTION TO  
DISMISS**

**DEFENDANT DRIVEN ADMINISTRATIVE SERVICES, LLC'S  
MOTION TO DISMISS COMPLAINT FOR LACK OF SUBJECT-MATTER  
JURISDICTION, LACK OF PERSONAL JURISDICTION, AND  
IMPROPER VENUE OR ALTERNATIVE MOTION TO TRANSFER VENUE**

Defendant, Driven Administrative Services LLC (“Driven”), pursuant to Federal Rules of Civil Procedure 12 (b)(1), (b)(2), and (b)(3), hereby moves to dismiss the following claims alleged in Plaintiff’s Complaint, or in the alternative, to transfer said claims pursuant to 28 U.S.C. § 1404 to the United States District Court for the District of Puerto Rico:

1. Count I of the Complaint for Breach of Fiduciary Duty (Derivative Claim);
2. Count II of the Complaint for Professional Negligence (Derivative Claim);
3. Count III of the Complaint for Breach of Fiduciary Duty (Direct Claim); and

4. Count IV of the Complaint for Professional Negligence (Direct Claim).

The complete basis for Defendant's motion is set forth in the accompanying Memorandum of Law.

Dated: November 6, 2023

Respectfully submitted,

By: /s/ Thomas R. Woodrow

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*Attorneys for Defendant Driven Administrative  
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**CERTIFICATE OF SERVICE**

I hereby certify that on November 6, 2023, a copy of the foregoing **Motion to Dismiss for Lack of Subject-Matter Jurisdiction, Lack of Personal Jurisdiction, and Improper Venue** was filed electronically with the Clerk of Court using the CM/ECF system, which will automatically provide notice to and service upon the following:

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*Attorney for Plaintiff Bancredito Holding Corporation*

/s/ Thomas R. Woodrow